

# Exhibit A

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

HAROLD KING,  
*on behalf of himself, FLSA Collective Plaintiffs  
and the Class,*

Plaintiff,

v.

FEDCAP REHABILITATION SERVICES, INC.,  
and WILDCAT SERVICE CORPORATION,

Defendants.

**Case No.:** 21-cv-01784

**NOTICE OF PLAINTIFF'S  
MOTION FOR CONDITIONAL  
COLLECTIVE  
CERTIFICATION AND FOR  
COURT FACILITATION OF  
NOTICE PURSUANT TO 29  
U.S.C. § 216(b)**

**Please read this notice if you are or were employed by FEDCAP REHABILITATION SERVICES, INC. and/or WILDCAT SERVICE CORPORATION in any of their staffing programs (where you were sent to perform labor for the benefit of another organization) at any time between February 28, 2014, and [date of conditional collective certification].**

Former employee HAROLD KING ("Plaintiff") has sued FEDCAP REHABILITATION SERVICES, INC. and WILDCAT SERVICE CORPORATION ("Defendants"), seeking (1) compensation for unpaid regular and overtime hours resulting from Defendants' time shaving in violation of the Fair Labor Standards Act ("FLSA"), (2) liquidated damages, and (3) attorneys' fees and costs.<sup>1</sup> Defendants deny any wrongdoing and claim that they paid employees the proper compensation for all hours worked, in accordance with the FLSA.

The purpose of this Notice is to advise you of your right to participate in this lawsuit under the FLSA. It has not been decided who is right and who is wrong, but the Court is giving employees who might have been affected by the alleged violations an opportunity to join this collective action lawsuit.

**YOUR LEGAL RIGHTS**

If you worked for Defendants at any time between February 28, 2014, and [date of conditional collective certification], you may join this lawsuit. If you believe that you may be able to assert any of the claims described above, you have the right to participate in this lawsuit. The right to participate may be subject to a court decision that you are similarly situated to Plaintiff. It is your right to join or not to join this lawsuit. If you decide to join this lawsuit, it is illegal for Defendants to retaliate, discharge, take any adverse action, or discriminate against you in any way for participating.

If you participate in this lawsuit's FLSA claim, you will be required to provide information and answer questions, and you may be required to testify at a deposition and in court and to produce

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<sup>1</sup> The lawsuit also includes class action claims under the New York Labor Law ("NYLL") for unpaid regular and overtime compensation resulting from time shaving, statutory penalties, liquidated damages, and attorneys' fees and costs. This Notice applies only to the FLSA claim, not to the class action claim brought under the NYLL.

documents. You will also be bound by the outcome of this lawsuit's FLSA claim, whether it is favorable or unfavorable. You may obtain nothing through this lawsuit.

To join this lawsuit, you must sign a "Consent to Sue" form, which is enclosed with this Notice, and send it on or before **[2 months from the date notice is sent out]**:

C. K. Lee, Esq.  
Lee Litigation Group, PLLC  
148 West 24th Street, 8th Floor  
New York, NY 10011  
Tel: (212) 465-1180  
Fax: (212) 465-1181  
Email: cklee@leelitigation.com

If you do not join this lawsuit, and instead intend to bring your own lawsuit, you should be aware that the lawsuit must be brought within a specific period of time. Generally, the statute of limitations under the FLSA is two or three years from the date of the violation, and the statute of limitations under the NYLL is six years from the date of the violation.

#### **THE LAWYERS REPRESENTING PLAINTIFF**

If you join this lawsuit and agree to be represented by Plaintiff through his attorneys, you will be represented by Lee Litigation Group, PLLC. The firm is handling the lawsuit on a "contingency fee" basis, which means that you do not have to pay any attorneys' fees or expenses for this lawsuit. If the Plaintiff wins a favorable judgment, Lee Litigation Group, PLLC may ask the Court to award it its reasonable lodestar or up to one-third of the monetary recovery, whichever is greater. You are not required to have Lee Litigation Group, PLLC represent you. If you want your own attorney to represent you in this lawsuit, arrangements would have to be made for that attorney's fees and expenses, and the arrangements could be the same as Lee Litigation Group, PLLC.

#### **GETTING MORE INFORMATION**

You can obtain more information about this lawsuit by contacting C.K. Lee, Esq.:

C. K. Lee, Esq.  
Lee Litigation Group, PLLC  
148 West 24th Street, 8th Floor  
New York, NY 10011  
Tel: (212) 465-1180  
Fax: (212) 465-1181  
Email: cklee@leelitigation.com

**Do not call or write the Court or the Clerk's Office with questions.**

Dated: New York, \_\_\_\_\_

**“CONSENT TO SUE” FORM**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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v.

FEDCAP REHABILITATION SERVICES, INC.,  
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**Case No.: 21-cv-01784**

**If you are or were employed by FEDCAP REHABILITATION SERVICES, INC. and/or WILDCAT SERVICE CORPORATION at any time between February 28, 2014, and [the date of class certification] in one of its staffing programs, complete and mail this Consent Form by [2 months from the date notice is sent out] to:**

C. K. Lee, Esq.  
Lee Litigation Group, PLLC  
148 West 24th Street, 8th Floor  
New York, NY 10011  
Tel: (212) 465-1180  
Fax: (212) 465-1181

**I hereby consent to join this lawsuit as a party plaintiff. By signing and returning this consent form, I hereby designate Plaintiff or his counsel Lee Litigation Group, PLLC to represent me and make decisions on my behalf concerning the litigation and any settlement.**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Social Security No.: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ Date: \_\_\_\_\_